

**MINUTES**  
**REGULAR MEETING**  
**BEXAR COUNTY EMERGENCY SERVICES DISTRICT NO. 5**  
**MARCH 21, 2024**

**In accordance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, the Board of Commissioners of Bexar County Emergency Services District No. 5 had a REGULAR MEETING at 7120 E. 6<sup>th</sup> Street, Somerset, TX 78069 on MARCH 21, 2024 immediately following the Bexar County ESD5 Fire and Rescue Board of Directors meeting scheduled for 6:00 pm.**

**1) Call the Bexar County Emergency Services District 5 meeting to order and establish a quorum.**

*Meeting was called to order at 6:27 pm and a quorum was established. Board members in attendance were Herschel Postert, Howard Dalros, Andrew Flores, Becky Schneider, and Robert Piarce.*

**2) Invocation: Pledge of Allegiance to the American Flag.**

*Pledge recited.*

**3) Citizens to be heard: This item will be open for a maximum of 30 minutes with 3 minutes per speaker. (If there are more than 10 speakers, each will be given 2 minutes.)**

*There were no citizens to speak.*

**4) Report on the ESD Association meeting, with action taken, if necessary**

*The Association meeting did not have a quorum so there was no meeting held.*

**5) Report from Art Martinez de Vara on legislative topics and local matters, with action taken, if necessary**

*Commissioner Dalros said he spoke with Public Works and they are not going to build the road He asked Art what else could be done? Art said they could try to speak with Commissioner Clay Flores to see if she could intervene. Commissioner Dalros does not believe the District will have to maintain the road after it is built as previously thought.*

*Art also talked about 3 representatives willing to sponsor a bill that would require an election before the city could annex following the expiration of non-annexation agreements. He also spoke briefly about possible legislation that would allow citizens to be removed from a city's ETJ. No action was taken.*

**6) Report, if any, from the General Manager**

*Nothing to report.*

The Bexar County Emergency Services District No. 5 reserves the right to adjourn into closed session at any time during the course of the meeting to discuss any of the matters listed above should such action be necessary as authorized by the Texas Open Meetings Act, Texas Government Code 551.071 (Consultation with Attorney), 551.074 (Personnel Matters) or 551.087 (Economic Development) and any other provision under Texas Law that permits this governmental body to discuss a matter in a closed session. Action, if any, will be taken in open session.

The Bexar County Emergency Services District No. 5 is committed to compliance with the Americans with Disabilities Act. Reasonable modification and equal access to communications will be provided upon request. Requests for accommodation or interpretive services at meetings should be made 48 hours prior to this meeting. Please contact Bexar County Emergency Services District No. 5 at 830-429-7119.

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- 7) Report from investment officer, Commissioner Pierce, with action taken, if needed.**  
*Commissioner Pierce reported that there has been no change in investments since last month. The money market earned about \$3800 in interest in February. No action taken.*
- 8) Consent Agenda:**
- a) Review and approval of the minutes for the Regular Meeting on February 29, 2024**  
*Motion by Commissioner Schneider to accept the minutes as presented. Seconded by Commissioner Pierce. Motion carried.*
  - b) Review and approval of financials**  
*Motion by Commissioner Flores to accept the financials as presented. Seconded by Commissioner Pierce. Motion carried.*
- 9) Reports, presentations, and funding requests with action taken as appropriate:**  
*(Reports should include Financial reports (revenue and expenditures), Run Reports, Training Reports and Hours, Volunteer Hours)*
- a) Bexar County ESD 5 Fire and Rescue**  
*No furth report from Chief Esparza.*
  - b) Lytle Volunteer Fire Dept.**  
*Chief Roger Garcia was present for Lytle VFD. He reported 42 calls in district with a 9:04 response time. He reported on ongoing training saying he had 2 people that still needed to test for their TCFP. Commissioner Postert asked in they were meeting their training requirements. Roger said they were and he would send in the certificates. He then told the board about ESO software that they have purchased. He asked the ESD to pitch in on the \$10k purchase. Commissioner Dalros said he would like to have time to review. No action taken.*
- 10) Action items:**
- Re: Future fire station on Montgomery Road:**
- a) Construction progress report from AGCM, with action taken as necessary**  
*Mark Price of AGCM gave a brief report about the process of getting permanent power with CPS.  
Motion by Commissioner Dalros to authorize LK Travis to issue notice of Notice to Proceed (NTP) to WR Griggs Construction once the permits are issued. Seconded by Commissioner Schneider. Motion carried.*

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- b) Review and approval of the Materials Testing Contract with Terracon**  
*This item was taken in Executive Session.*

*Meeting was called into Executive Session at 6:52 pm for items 10b and 10e citing Texas Government Code 551.071 and 551.074.*

*Meeting resumed in Open Session at 6:59 pm.*

*Motion by Commissioner Schneider to approve the contract with Terracon subject to review by legal counsel and authorize Commissioner Dalros to sign and execute. Seconded by Commissioner Pierce. Motion carried.*

**Re: Future fire station at IH35 and Luckey Road:**

- c) Discussion and possible action regarding environmental surveys, clean up, and any other matters related thereto**

*Commissioner Postert said the clean up is almost finished and staff has asked Tiger Sanitation to pick up the dumpster. No action taken.*

- d) Status of a sign at the property, with action, if needed**

*No action taken on this item.*

**Other items:**

- e) Personnel issues: Including but not limited to complaints by employees related to their employment and/or hiring, terminations, discipline, suspensions, and compensation, and any other related matters**

*This item was taken in Executive Session. No action taken after.*

- f) Discussion and possible action to forgive the tax debt on the building owned by Somerset VFD**

*Art Martinez addressed the Board saying Somerset VFD would like to donate the land they owned to the Somerset Historical Society for a museum. He feels the back taxes are about \$600-\$800.*

*This item was taken in Executive Session.*

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*Meeting was called into Executive Session at 7:03 pm for item 10f citing Texas Government Code 551.071.*

*Meeting resumed in Open Session at 7:06 pm.*

*Motion by Commissioner Schneider to have Legal Counsel investigate the legality of this and authorize forgiving the debt, if able. Seconded by Commissioner Pierce.*

*Motion carried.*

**g) Update, if any, on land on Jungman Road**

*No action on this item.*

**h) Discussion and action, if necessary, regarding letter sent in support of Von Ormy sewer project**

*Art Martinez explained a little about the project saying Congressman Gonzales has the funds appropriated but wanted a letter of support from the community.*

*Motion by Commissioner Dalros approve the letter of support sent by Commissioner Postert. Seconded by Commissioner Schneider. Motion carried.*

**11) Adjourn**

*Motion to adjourn by Commissioner Schneider. Seconded by Commissioner Dalros. Motion carried. Meeting adjourned at 7:18 pm.*

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